

**SARPY COUNTY, NEBRASKA LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
BY-LAWS OF THE LEPC**

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Article I

This organization shall be known as the Sarpy County Local Emergency Planning Committee, hereafter referred to as the Sarpy County Emergency Planning Committee (SCEPC).

Article II

The purposes of the LEPC are those set forth in Title III of the Superfund Amendments and Reauthorization Act (SARA), and any other lawful purposes which are assigned to it or permitted by the County Commissioners and/or State Emergency Response Commission.

In keeping with the intent of Title III, all activities of the Committee will be conducted in a manner encouraging input and participation from all segments of the community.

The responsibilities and objectives of the SCEPC include, but are not limited to:

- Comply with the guidelines established by Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).
- Maintain a comprehensive hazard analysis of Sarpy County.
- Develop an integrated, all hazards emergency management partnership between business, industry, and local governments.
- Complete projects as assigned by elected officials within Sarpy County and the Nebraska State Emergency Response Commission (SERC).
- Develop and establish the incident command/incident management system (ICS/IMS) for business.
- Update and review the County emergency operations plan, including the hazardous materials annex in accordance with Section 303 of SARA, Title III.
- Assess resources necessary to implement the plan, and make recommendations to appropriate people, agencies and organizations regarding shortfalls.
- Receive reports and other information, e.g., Tier II reports and facility inventories, from covered facilities and other agencies.
- Comply with Community Right to Know requirements, including public access to information in accordance with Section 324 of SARA, Title III.

Article III Membership

Section 1. Members.

The Committee shall consist of at least as many members as shall be deemed necessary by the Nebraska State Emergency Response Commission. The members will be nominated by the Sarpy County Commissioners and approved by the Nebraska State Emergency Response Commission.

A listing of the current membership, work and home address and phone numbers, will be updated and provided to the State Commission on a quarterly basis. Membership should represent a cross-section of community interests.

Section 2. Terms of Membership

A membership term is two years from the SERC appointment date.

Section 3. Inactive Members

Appointed members shall be considered inactive when they have missed more than two consecutive Committee meetings without notification to the Committee Chair or staff office of significant reasons why they were unable to attend the meetings. An annual report listing members declared inactive will be provided to the State Commission.

Members shall be placed in an inactive status if they consistently fail to complete assignments in an agreed upon time frame.

Section 4. Removal of Members.

The Nebraska State Emergency Response Commission may, at the request of the County Commissioners, remove a member for failure to participate regularly in the scheduled activities of the Committee or for behavior inconsistent with the intent and purpose of the SCEPC.

Section 5. Vacancies

Vacancies in membership of the Committee shall be filled using the process set out in Section 1 of this Article.

Article IV Officers

Section 1.

The officers of the Committee shall consist of a Chairman, Assistant Chairman, an Information Coordinator, and Secretary.

Section 2. Election.

The SCEPC shall elect officers from its own membership every year.

Section 3. Removal.

Any of the Committee's officers may be removed by a majority vote of the SCEPC at a meeting called for that purpose in accordance with the Bylaws.

Section 4. Vacancies.

Vacant officers positions will be filled using the procedures set out in Section 2 of this Article.

Article V Duties of the Officers

Section 1. Duties of the Chairman

The Chair shall preside at all meetings of the Committee; preserve order during its meetings; appoint all subcommittees, after consultation with the membership; serve as an ex-officio member of such subcommittees; and sign all minutes and other documents connected with the work of the Committee requiring signature.

Section 2. Duties of the Assistant Chairman.

In the absence of the Chair or in the event of the inability or refusal of the Chair to act, the Assistant Chairman shall perform the duties of the Chair and, when so acting, shall have all the powers of the Chair.

Section 3. Duties of the Information Coordinator

The Information Coordinator shall be responsible for each emergency response plan, material safety data sheet, chemical list (311), inventory form (312), and follow up emergency notices received by the committee.

The Information Coordinator shall file this information in an area available to the public during normal working hours.

The Information Coordinator shall insure that the Local Emergency Planning Committee annually publishes a notice in the local newspaper that the emergency response plans, material safety data sheets, and inventory sheets have been submitted and may be reviewed by the public at a specific location.

Section 4. Duties of the Secretary

The Secretary shall have charge of all books, papers, records, and other documents of the committee; shall keep the minutes of all meetings of the Committee; shall distribute minutes to the members within ten business days after the meetings; shall conduct all correspondence pertaining to the Committee; shall compile statistics and other data as required for the use of the members of the Committee; and shall perform such other duties as may be directed by the Chair or the Committee.

All books, papers, records, and other documents of the committee shall be kept in the Sarpy County Emergency Management Agency.

Article VI Meetings

Section 1. Regular Meetings

The Committee shall meet at least quarterly.

Section 2. Special Meetings

The Chairman may call such special meetings as may be deemed necessary to carry out the duties of the Committee. Upon the written request of at least three members, the Chair shall call a meeting within ten days.

Section 3. Hearings

The Committee shall hold such hearings or public forums as it may deem necessary and desirable at such times and places as may be determined by a majority vote of the committee.

At least one such public hearing or forum shall be held each year for the purpose of discussing the committee's emergency plan with the public, receiving public comments, and responding to public comments.

Section 4. Quorum

A quorum shall consist of a majority of Committee members, or their designated representatives, excluding those declared inactive pursuant to Article III, Section 2.

A quorum shall be required to transact business. Designated representatives must be identified by the primary committee member to the information coordinator (593-2283) or any other board member prior to the meeting. An individual may not be the designated representative for more than one primary board member at a time.

Section 5. Agenda.

Any member may request that the Chair place an item on the agenda. If the Chair should decline to do so, a member may have such item placed on the agenda by submitting it in writing to the Chairman with support signatures of three other members.

Section 6. Notice of Meeting

Notice of time, place, and agenda items to be considered at regular each meeting shall be given in writing, to all members, by the Chairman, at least two days prior to such meeting. A copy of this notice and agenda will be given to the Sarpy County Clerk in accordance with Sarpy County procedures at least three days prior to said meeting.

Notice of regular meeting and agenda availability will also be placed in the legal announcements of the Bellevue Leader and the Papillion Times at least three days prior to the meeting.

An agenda must be maintained at the office of the Sarpy County Clerk for public inspection, must be kept continually current, and may not be altered later than 24 hours before the scheduled commencement of the public meeting.

Any matters not appearing on the agenda may be considered upon a favorable vote of a majority of the members present to do so.

Notice of special meetings and intended agenda items shall be given to all committee members and the Sarpy County Clerk in writing or by phone at least three days in advance of any of the special meetings.

An annual notice of the regular meeting schedule of the committee shall be published in the legal announcements in accordance with SARA, Title III. This notice shall specify the meeting designated specifically for receipt of public comments on the emergency plan.

Section 7. Rules of Order

The deliberations of all meetings of the Committee and its various subcommittees shall be governed by Robert's Rules of Order, Newly Revised.

Article VII Voting

Section 1. One Vote

Each Each Committee member, or designated representative, including the Chairman, shall be entitled to one vote.

Section 2. Proxy Votes

No member shall vote by proxy.

Section 3. Abstentions

Members may register their abstention on any vote. The abstention shall be reflected in the minutes. Members are required to abstain on matters which pose a conflict of interest for them.

Section 4. Determination of Actions

All final actions, Committee positions, or policy recommendations shall require the favorable vote of a majority of those committee members or designated representatives present at a duly called meeting.

Article VIII Reports and Recommendations

Section 1. Annual Reports

By February of each year, the Committee shall make a report describing its activities for the preceding calendar year. The report will be distributed to the Chairman of the Sarpy County Board of Commissioners, and to the mayors of the cities of Bellevue, Gretna, LaVista, Papillion and Springfield.

A copy of the annual report will be provided to the State Emergency Response Commission.

Section 2. Review of Draft Reports

A draft of any proposed annual report shall be circulated to all members of the Committee at least ten days prior to consideration by the full Committee at a scheduled meeting.

Section 3. Issuance of Reports No

report of any kind shall be released in the name of the Committee unless and until it has been duly adopted by a favorable vote of a majority of the members of the Committee.

Section 4. Resolutions/Ordinances and Recommendations

The Committee may address matters regarding ordinances and resolutions to be endorsed by the Committee.

Section 5. Emergency Plan

The Hazardous Materials Emergency Response Plan will be developed in accordance with SARA, Title III, and will be distributed by the Sarpy County Emergency Management Office.

Article IX Amendments

These Bylaws may be amended or replaced up the affirmative vote of a majority of the members of the Committee at any regular meeting of the Committee provided that any proposed changes have been circulated to all members at least five working days prior to any action thereon.